



# Republican Policy Committee

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## **Clinton & Co. Want To Bench the TEAM Act**

### **Common Sense Cooperation in the Workplace — That's What the TEAM Act Delivers**

*"When companies and workers work as a team, they do better. And so does America."*

President Clinton, 1996 State of the Union Address

America's workers agree with President Clinton. But apparently, the President's pledge to promote employee-employer teamwork in the workplace has been put on the shelf with rest of his broken promises.

#### **Teamwork is Popular Everywhere, Except at Clinton & Co.**

- By a 3-to-1 margin, when asked to choose between two types of organizations to represent them, workers chose one that would have no power but would have management cooperation over one with power but without management cooperation.
- In this same survey, the "Worker Representation and Participation Survey," conducted in December of 1994 by Princeton Survey Research Associates, 79 percent of workers who had participated in employee-management teams reported having "personally benefitted" from the process.
- In fact, 76 percent of all workers surveyed believed that their companies would be more competitive if more decisions about production and operations were made by employees rather than managers.

#### **More False Advertising at Clinton & Co.**

- Clinton & Co. claim that S. 295 would "allow an employer to select the representative of his employees" (S. Rept. 104-389, Minority View). The claim is patently false.

- ▶ S. 295 **permits** employees to select union representation at any time. But, federal labor law ***protects workers' rights to reject the union***, and it is those workers who would be denied a voice in the workplace without the TEAM Act.
- The TEAM act merely adds a short provision to section 8(a)(2) of the National Labor Relation Act to make clear that employers **may** meet together in "employee involvement" programs to address issues of mutual interest ***as long as they "do not engage in collective bargaining"*** or attempt to "amend existing collective bargaining agreements."
- Contrary to all the false advertising, section 4 of the TEAM Act **explicitly retains** the entire range of protections in the National Labor Relations Act affecting employee rights. For example, under the TEAM Act:
  - ▶ "Company unions" or "sham unions" that attempt to engage in collective bargaining will remain an explicit violation of law. Any attempt by management to influence or interfere with an employee's attempts to form or choose a union, or with his or her right to participate in union activities will remain an explicit violation of law.

### **What Happened to Clinton & Co.'s Spirit of Teamwork?**

- The spirit of teamwork and employee involvement used to be popular with President Clinton's Department of Labor. In a July 28, 1993 *Washington Post* article, **Secretary of Labor Robert Reich** stated:
 

"High-performance workplaces are gradually replacing the factories and offices where Americans used to work, where decisions were made at the top and most employees merely followed instruction. **The old top-down workplace doesn't work any more.**" [emphasis added]

### **Keeping Common Sense Out of the Workplace**

- The TEAM Act will clear up the confusion and contradictory labor policy that is stifling employee-employer cooperation. Over the years, decisions handed down by the National Labor Relations Board (NLRB) virtually have made employee involvement programs a practical impossibility, despite their popularity with workers. An analysis of NLRB decisions prepared by "Teamwork for America" (available from RPC) illustrates the difficulty facing employers and employees under current law. For example:
  - ▶ It is legal for employee-employer teams to discuss 5-minute breaks, but illegal for them to discuss 15-minute breaks; it is legal to discuss the purchase of coffee supplies, but illegal to discuss free coffee.

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